

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. 2:15-MD-02641 -DGC

This Document Relates to:
Civil Action No.: 2:16-cv-02482
Ronald Cook v. C.R. Bard, et al

**AMENDED SECOND AMENDED
MASTER SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364).

Plaintiff(s) further show the Court as follows:

- 1. Plaintiff/Deceased Party:**

RONALD COOK

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

~~STEPHANIE COOK~~ N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

MISSOURI

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

MISSOURI

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

MISSOURI

7. District Court and Division in which venue would be proper absent direct filing:

Western District of Missouri, Springfield Division

8. Defendants (check Defendants against whom Complaint is made):

C.R. Bard Inc.

Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

Other:

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

- Recovery® Vena Cava Filter
 - G2® Vena Cava Filter
 - G2® Express Vena Cava Filter
 - G2® X Vena Cava Filter
 - Eclipse® Vena Cava Filter
 - Meridian® Vena Cava Filter
 - Denali® Vena Cava Filter
 - Other:

11. Date of Implantation as to each product:

On or about May 5, 2008

12. Counts in the Master Complaint brought by Plaintiff(s):

- Count I: Strict Products Liability – Manufacturing Defect
 - Count II: Strict Products Liability – Information Defect (Failure to Warn)
 - Count III: Strict Products Liability – Design Defect
 - Count IV: Negligence – Design
 - Count V: Negligence – Manufacture
 - Count VI: Negligence – Failure to Recall/Retrofit
 - Count VII: Negligence – Failure to Warn

- 1 Count VIII: Negligent Misrepresentation
2 Count IX: Negligence *Per Se*
3 Count X: Breach of Express Warranty
4 Count XI: Breach of Implied Warranty
5 Count XII: Fraudulent Misrepresentation
6 Count XIII: Fraudulent Concealment
7 Count XIV: Violations of Missouri Law Prohibiting Consumer Fraud
8 and Unfair and Deceptive Trade Practices
9 Count XV: Loss of Consortium
10 Count XVI: Wrongful Death
11 Count XVII: Survival
12 Punitive Damages
13 Other(s): _____ (please state the facts supporting
14 this Count in the space immediately below)
15 _____
16 _____
17 _____
18 _____
19 _____

20 13. Jury Trial demanded for all issues so triable?

- 21 Yes
22 No

1 RESPECTFULLY SUBMITTED this ~~22nd~~ 27th day of ~~July~~ September, 2016.

2 **LOPEZ McHUGH LLP**

3 By: /s/Matthew R. Lopez

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5 (admitted *pro hac vice*)

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